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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/358,520  | 07/22/1999  | FUJIO NOGUCHI        | SONY-P9841          | 1674             |
| 22850   | 7590        | 08/25/2004           | EXAMINER            |                  |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.<br>1940 DUKE STREET<br>ALEXANDRIA, VA 22314 |             |                      | LONG, HEATHER R     |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2615                | 17               |
| DATE MAILED: 08/25/2004   |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/358,520

Applicant(s)

NOGUCHI ET AL.

Examiner

Heather R Long

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Response to Arguments***

1. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.
2. Please note the change in examiner. All future correspondence should be directed to Heather R. Long whose information is provided at the end of this office action.

***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1, 2, 4, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (U.S. Patent 6,199,014) in view of Ohki (U.S. Patent Application Publication 2002/0001032), and further in view of Fukushima et al. (U.S. Patent 4,807,157).

Regarding claim 1, Walker et al. teaches a method to build a photography database (211), wherein the method comprises the steps of capturing an image of a desired object, associating the captured image to the current location information from the mobile GPS unit, and outputting the orientation of the photograph, wherein the image, location, and orientation of the image are all stored in the photography database (col. 6, line 65 – col. 7, line 8; Fig. 7). The location information acquiring means, image pickup means, associating means, and recording means are inherently taught. Walker teaches that photographs in the database may

be taken from several angles, as a landmark will have a different appearance depending upon the direction from which a person approaches the landmark (col. 4, lines 61-64). Walker also teaches that when the apparatus searches for photographs corresponding to the route, it searches the database for photographs whose orientations match the geographic vector in the route (col. 7, lines 33-35). Therefore, the photographs' orientations enable the apparatus to manage the database when selecting photographs pertaining to a route, and the orientations imply direction of travel, which read on route relations along a path. Walker does not teach that the associating means automatically associates the captured image to the current location information or that information about a plurality of captured images at a point along a route are output to a display as management data for the route. Ohki teaches that image data is stored in memory in association with position data, which reads on automatically associating location information and image data (paragraph [0070]). Ohki also teaches that information about a plurality of captured images at a point along a route are output to a display as management data for the route (paragraphs [0052], [0072] and [0073]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the automatic associating procedure of Ohki in the photography database building scheme of Walker to make an apparatus that automatically builds a photography database for use in generating a route with accompanying photographs and to

display information along a route about a plurality of pictures. One of ordinary skill would have been motivated to make such a modification to expedite a process by automating it and to allow the user to access the images according to the locations in which they were taken.

Walker teaches that CD-ROMs can be used for storing the digital map, which constitute image data and their respective locations (col. 1, lines 25-32, and col. 2, lines 1-2). Walker in view of Ohki does not teach a removable solid-state storage medium. Fukushima et al. teaches that in a navigation system, directional information may be stored on an IC card, which reads on the solid-state storage medium (col. 2, lines 57-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the removable CD-ROM taught by Walker et al. with a removable solid-state storage medium taught by Fukushima et al. to make a navigation system that relies on a solid-state storage medium. One of ordinary skill would have been motivated to make such a modification to offer greater flexibility in the type of storage mediums used in navigational systems.

Regarding claim 2, Fukushima et al. teaches the use of an IC card to store directional information (col. 2, lines 57-60).

Regarding claim 4, Walker et al. teaches a navigation apparatus comprising: recording means (RAM 203) for recording information about a route to a destination, the information including a plurality of captured images at a point along a route (col. 7, lines 9-25; col. 4, lines 61-64).

Walker et al. teaches that navigational instructions may be transmitted to the RAM (303), which reads on the storage medium, in stages as the trip progresses (col. 9, lines 9-10) and that a highlight or arrow may be overlaid on the picture display (image data is outputted to a display), pointing out the correct direction for the particular route being followed (col. 6, lines 32-34), which reads on management data about route relations (directions along a path). Walker et al. teaches that the image data, management data, and route information is outputted (Fig. 4).

Walker et al. teaches that removable CD-ROMs can be used for storing the digital map, which constitute image data and their respective locations (col. 1, lines 25-32, and col. 2, lines 1-2). Walker et al. does not teach a removable storage medium or an associating means that automatically associates the captured image to the current location information or that information about a plurality of captured images at a point along a route are output to a display as management data for the route. Ohki teaches that image data is stored in memory in association with position data, which reads on automatically associating location information and image data (paragraph [0070]). Ohki also teaches that information about a plurality of captured images at a point along a route are output to a display as management data for the route (paragraphs [0052], [0072] and [0073]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the automatic associating procedure of Ohki in the photography database building scheme of Walker

to make an apparatus that automatically builds a photography database for use in generating a route with accompanying photographs and to display information along a route about a plurality of pictures. One of ordinary skill would have been motivated to make such a modification to expedite a process by automating it and to allow the user to access the images according to the locations in which they were taken.

Walker teaches that CD-ROMs can be used for storing the digital map, which constitutes image data and their respective locations (col. 1, lines 25-32, and col. 2, lines 1-2). Walker in view of Ohki does not teach a removable solid-state storage medium. Fukushima et al. teaches that in a navigation system, directional information may be stored on an IC card, which reads on the solid-state storage medium (col. 2, lines 57-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the removable CD-ROM taught by Walker et al. with a removable solid-state storage medium taught by Fukushima et al. to make a navigation system that relies on a solid-state storage medium. One of ordinary skill would have been motivated to make such a modification to offer greater flexibility in the type of storage mediums used in navigational systems.

Regarding claim 5, Walker et al. teaches the storage of still images recorded by an image pickup apparatus on a storage medium (col. 6, line 65 – col. 7, line 8; Fig. 7). Fukushima et al. teaches a removable IC card with stored directional information (col. 2, lines 57-60).

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5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. in view of Ohki in view of Fukushima et al. as applied to claim 1 above, and further in view of Bradshaw et al. (U.S. Patent 5,528,518).

Regarding claim 3, Walker et al. in view of Ohki in view of Fukushima et al. teach the apparatus according to the limitations of claim 1. See above. Walker et al. teaches that information concerning a particular route, namely directional vectors and image data, may be stored in a database (col. 7, lines 47-54). Walker et al. does not teach that current location information is recorded at least in relation to information about a route to a destination indicated on a map in a display screen. Bradshaw et al. teaches that current location and image data information is recorded at least in relation to information indicated on a map in a display screen (col. 14, lines 32-27, 44-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the concept of having a predetermined route stored in memory taught by Walker et al. with the practice of capturing locations and image data by noting their location on a map on a display to make an apparatus in which the user may record information concerning a route by displaying the route on the display screen and inputting image data corresponding to different locations on the route. One of ordinary skill would have been motivated to make such a modification to stored in memory a customized route he frequently uses, thus avoiding the tedious task of regenerated the same route whenever he needs it.



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6. Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (U.S. Patent 6,199,014) in view of Fukushima et al. (U.S. Patent 4,807,157).

Regarding claim 6, Walker et al. teaches a storage medium (matching results database (213)) providing guidance regarding a route to a destination so as to store information about the route, the information including a plurality of captured images at a point along a route (col. 4, lines 61-64); wherein image data related to the route are recorded in correspondence with locations along the route (col. 7, lines 47-54, 9-37). Walker et al. teaches the storage of the orientation of photographs, which reads on information about route relations as management data. See above. Walker does not teach the use of an IC card as the storage medium. Fukushima et al. teaches the use of a removable IC card to store directional information for use in navigation system (col. 2, lines 33, 57-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the removable CD-ROM taught by Walker et al. with a removable solid-state storage medium taught by Fukushima et al. to make a navigation system that relies on a solid-state storage medium. One of ordinary skill would have been motivated to make such a modification to offer greater flexibility in the type of storage mediums used in navigational systems.

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**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather R Long whose telephone number is 703-305-0681. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HRL  
August 19, 2004

  
TUAN HO  
PRIMARY EXAMINER